

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Julie Karjala,

Civil No. 05-718 (RHK/FLN)

Plaintiff,

ORDER

v.

Jo Anne B. Barnhart, Commissioner of
Social Security,

Defendant.

In a thorough and well-reasoned Report and Recommendation, Magistrate Judge Franklin L. Noel has recommended the reversal of the Administrative Law Judge's decision and remanding the matter for the calculation and payment of benefits. Defendant has filed timely Objections which, together with the Report and Recommendation, are before the undersigned for de novo review.

Based on that review, the Court concludes that Judge Noel's factual determinations are supported by the record before him and that he applied appropriate legal precedent in reaching his conclusions. Accordingly, his recommended disposition will be adopted.

Based upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Defendant's Objections (Doc. No. 38) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 37) is **ADOPTED**;
3. Plaintiff's Motion for Summary Judgment (Doc. No. 17) is **GRANTED**;
4. Defendant's Motion for Summary Judgment (Doc. No. 31) is **DENIED**; and

5. The matter is **REMANDED** for calculation and payment of benefits.

Dated: August 31, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge